

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF BROOKHAVEN

ORD 2014-09-01

ORDINANCE AMENDING CHAPTER 18 – NUISANCES OF THE CODE OF
ORDINANCES OF THE CITY OF BROOKHAVEN, GEORGIA

WHEREAS, the Mayor and Council of Brookhaven are charged with the protection of the public health, safety and welfare of the citizens of the Brookhaven; and

WHEREAS, pursuant to Section 1.03(b) of the Charter of the City of Brookhaven, inter alia, the City of Brookhaven has the power to define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare and safety of the inhabitants of the City, and to provide for the enforcement of such standards; and

WHEREAS, the Mayor and Council of the City of Brookhaven hereby find that regulating, prohibiting and/or defining certain offenses as set forth both below will further the goals set for in the Charter and protect the public health, safety and welfare of the citizens of Brookhaven.

BE IT ORDAINED by the Mayor and Council of the City of Brookhaven, Georgia, and it is hereby ordained by authority of same, Section 18-53(e) *Authority to Audit and Inspection Warrant*, Article V *Multifamily Rental Housing* of Chapter 18, *Nuisances* is hereby amended by amending subsection (e), to read as follows:


(e) Authority to Audit and Inspection Warrants. The Building Official or its designee shall have the authority to inspect the interior of those units that are included in each annual Code Compliance Certificate submitted to the City pursuant to Sec. 18-53(c) when there is probable cause to believe there has been a violation of this chapter or other applicable code sections. Said inspection may, at the discretion of the Building Official, include such number of submitted units included in the Code Compliance Certificate as determined by the Building Official or its designee. Once determined that an audit inspection will be conducted, the Building Official shall give written notice to the Certified Building Inspector issuing the Code Compliance Certificate, the owner and/or the property management company of the date of the inspection which inspection shall take place, which shall be no sooner than seven days from the date of the notice and shall be conducted on from 9 AM to 5 PM EST during weekdays, other than nationally recognized holidays. The written notice shall state that the owner and/or property management company shall have the right to refuse the inspection and the Building Official or designee's right to seek issuance of an inspection warrant in the event of any such refusal. The owner, the Certified Building Inspection or a member of the property management company shall be available to accompany the Building

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Official during the inspection. In the event the owner and/or property management company refuses inspection, the Building Official or designee shall have the right to seek issuance of an inspection warrant from a judge of the Municipal Court in accordance with Sec. 7-39.

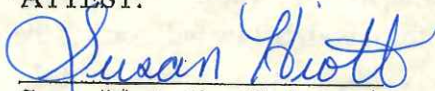
SO ORDAINED, this 23rd day of Sept., 2014.

APPROVED:



J. Max Davis, Mayor

ATTEST:



Susan Hiott, City Clerk

APPROVED AS TO FORM:

Emily Macheski-Preston, on behalf of
Thompson Kurrie, Jr., City Attorney

